

information for the product being shipped, although not required, is one form of information that may be used to satisfy the emergency response information requirements.

Section 172.602(a)(1) requires that the emergency response information contain the basic description and technical name of the hazardous material as required by §§ 172.202 and 172.203(k). Section 172.602(b)(3) requires that the emergency response information be presented (i) on a shipping paper; (ii) in a document, other than a shipping paper, that includes both the basic description and technical name of the hazardous material (*e.g.* safety data sheet); or (iii) related to the information on a shipping paper, in a separate document (*e.g.*, an emergency response guidance document such as the most current revision of the Emergency Response Guidebook (ERG)), in a manner that cross references the description of the hazardous material on the shipping paper with the emergency response information contained in the document. If a guide number page from the ERG is used, it must include the basic description and, if applicable, the technical name of the hazardous material. If the entire ERG is present, however, the requirements of § 172.602 are satisfied.

Emergency response information must also be immediately available for use. Section 172.600(c) requires any person who offers, accepts, transfers or otherwise handles hazardous materials during transportation not do so unless emergency response information is immediately available for use at all times the hazardous material is present. Additionally, emergency response information, including the emergency response telephone number, must be immediately available to any person who, as a representative of a Federal, State or local government agency, responds to an incident involving a hazardous material, or is conducting an investigation which involves a hazardous material. Section 172.602(c) prescribes the maintenance of emergency response information. This information must be immediately accessible to train crew personnel, drivers of motor vehicles, flight crew members, and bridge personnel on vessels for use in the event of incidents involving hazardous materials. Carriers must maintain emergency response information in the same manner as

prescribed for shipping papers (Subpart C of Part 172 of the HMR).

Emergency response information must be accompanied by an emergency response telephone number in accordance with § 172.604. This telephone number must be monitored at all times the hazardous material is in transportation, including storage incidental to transportation. The telephone number must be of a person who is either knowledgeable of the hazardous material being shipped and has comprehensive emergency response and incident mitigation information for that material, or has immediate access to a person who possess such knowledge and information.

#### NTSB Safety Recommendation R-14-18

As a result of the November 30, 2012 accident in which a Consolidated Rail Corporation train containing hazardous materials derailed, spilling vinyl chloride into Mantua Creek in Paulsboro, New Jersey, the NTSB issued a number of new Safety Recommendations. Among the recommendations issued to PHMSA was R-14-18, which urged PHMSA to “take action to ensure that emergency response information carried by train crews is consistent with and is at least as protective as existing emergency response guidance provided in the Emergency Response Guidebook.”<sup>3</sup> We are considering possible alternatives, including regulatory action, to affect this recommendation.

#### Conclusion

Emergency response information is a critical component of hazardous materials safety. The responsibility to provide accurate and timely information is a shared responsibility for all persons involved in the transportation of hazardous materials. It is a shipper's responsibility to provide accurate emergency response information that is consistent with both the information provided on a shipping paper and the material being transported. Likewise, re-offerors of hazardous materials must ensure that this information can be verified to be accurate, particularly if the material is altered, mixed or otherwise repackaged prior to being placed back into transportation. In

<sup>3</sup> [http://phmsa.dot.gov/pv\\_obj\\_cache/pv\\_obj\\_id\\_F69209B2F102C36FDEBED674D65AC72854380300/filename/NTSB\\_R-14-18\\_to-21\\_\(8-22-14\).pdf](http://phmsa.dot.gov/pv_obj_cache/pv_obj_id_F69209B2F102C36FDEBED674D65AC72854380300/filename/NTSB_R-14-18_to-21_(8-22-14).pdf).

addition, carriers must ensure that emergency response information is maintained appropriately, is accessible and can be communicated immediately in the event of a hazardous materials incident. Fulfilling these responsibilities is critical in reducing the severity of a hazardous materials incident and reduces the risk to emergency response personnel, transportation workers, and the general public.

Issued in Washington, DC on April 17, 2015.

**Timothy P. Butters,**

*Acting Administrator, Pipeline and Hazardous Materials Safety Administration.*

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## DEPARTMENT OF TRANSPORTATION

### Pipeline and Hazardous Materials Safety Administration

#### Hazardous Materials: Actions on Special Permit Applications

**AGENCY:** Office of Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration (PHMSA), DOT.

**ACTION:** Notice of actions on special permit applications.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, special permits from the Department of Transportation's Hazardous Material Regulations (49 CFR part 107, subpart B), notice is hereby given of the actions on special permits applications in (October to October 2014). The mode of transportation involved are identified by a number in the “Nature of Application” portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft. Application numbers prefixed by the letters EE represent applications for Emergency Special Permits. It should be noted that some of the sections cited were those in effect at the time certain special permits were issued.

Issued in Washington, DC, on April 8, 2015.

**Donald Burger,**

*Chief, Special Permits and Approvals Branch.*

S.P. No.	Applicant	Regulation(s)	Nature of special permit thereof
<b>MODIFICATION SPECIAL PERMIT GRANTED</b>			
14700-M .....	Pentair Residential Filtration, LLC, Chardon, OH.	49 CFR 173.302a and 173.306(g) .....	To modify the special permit to authorize an increase to the tanks maximum operating pressure from 100 psig to 125 psig.
15552-M .....	Poly-Coat Systems, Inc., Liverpool, TX.	49 CFR 107.503(b) and (c), 173.241, 173.242, and 173.243.	To modify the special permit to provide a more accurate method of testing for lining failure.
14625-M .....	Sun & Skin Care Research, Inc., Cocoa, FL.	49 CFR 173.306(a)(3)(v) .....	To modify the special permit to include the use of DOT-2P aluminum cans.
<b>NEW SPECIAL PERMIT GRANTED</b>			
16154-N .....	Patriot Fireworks, LLC, Ann Arbor, MI.	49 CFR 172.101 Column (8C) and 173.62.	To authorize the transportation in commerce of certain consumer fireworks in a bulk packaging consisting of an ISO-standard freight container in which authorized explosives are packed on wooden or metal shelving systems which are waived from marking and labeling. (model)
16199-N .....	Schlumberger Technology Corporation, Rosharon, TX.	49 CFR 173.20(c), 173.202(c), 173.203(c), 173.301(f), 173.302(a), 173.304(a) and (d).	To authorize the transportation in commerce of a toxic flammable gas in a non-DOT specification cylinder. (modes 1, 2, 4)
16291-N .....	Procter & Gamble Distributing LLC, Cincinnati, OH.	49 CFR 172.30(c), 173.306(a)(3)(ii) ...	To authorize the transportation in commerce of certain aerosol containers not fully conforming with specification DOT 2P. (mode 1)
16253-N .....	Trinity Manufacturing, Inc., Hamlet, NC.	49 CFR 171.23(a)(1), 171.23(a)(4)(i) ...	To authorize the transportation in commerce of non-DOT specification cylinders (ADR foreign cylinders) requalified in accordance with European Standard BS EN 1803:2002 "Transportable Gas Cylinders—Periodic Inspection and Testing of Welded Carbon Steel Gas Cylinders" in lieu of the requalification requirements in 49 CFR Part 180, Subpart C. (modes 1,3)
16392-N .....	Gem Air, LLC, Salmon, ID ..	49 CFR 172.101 Hazardous Materials Table Column (9A), 175.75(6).	To authorize the transportation in commerce of propane aboard passenger-carrying aircraft within or into remote wilderness areas in the United States. (mode 5)
16374-N .....	Bristow U.S. LLC, New Iberia, LA.	49 CFR 172.101 Hazardous Materials Table Column (9A), 172.301(c).	To authorize the transportation in commerce of certain hazardous materials which exceed the authorized quantity limitations for passenger-carrying aircraft. (mode 5)
<b>EMERGENCY SPECIAL PERMIT GRANTED</b>			
16035-M .....	LCF Systems, Inc., Scottsdale, AZ.	49 CFR 173.302a .....	To modify the special permit to authorize an increase to the number of cylinders shipped. (modes 1, 3, 4)
16061-N .....	Battery Solutions, LLC, Howell, MI.	49 CFR 172.200, 172.300, 172.400 .....	To authorize the manufacture marking, sale and use of non-DOT specification fiberboard boxes for the transportation in commerce of certain batteries without shipping papers, marking of the paper shipping name and identification number or labeling, when transported for recycling or disposal. (mode 1)
16239-N .....	Trinity Containers, LLC, Dallas, TX.	49 CFR 171.7 .....	To authorize the manufacture, marking, sale and use of non-DOT specification fiberboard boxes for the transportation in commerce of certain batteries without shipping papers, marking of the proper shipping name and identification number or labeling, when transported for recycling or disposal. (mode 1)
16420-N .....	Construction Helicopters, Inc., Howell, MI.	49 CFR 172.101 Materials Table Column (9B), 172.200, 172.204(c)(3), 172.300, 172.400, 173.315(j).	To authorize the transportation in commerce of propane by 14 CFR part 133 Rotorcraft External Load Operations transporting hazardous materials attached to or suspended from an aircraft without being subject to certain hazard communication requirements, quantity limitations and certain loading and stowage requirements. (mode 4)
<b>EMERGENCY SPECIAL PERMIT WITHDRAWN</b>			
16180-M .....	U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), Washington, DC.	49 CFR 173.56 and 172.320 .....	To modify the special permit by changing the carrier and extending the expiration date. (mode 1)

S.P. No.	Applicant	Regulation(s)	Nature of special permit thereof
<b>DENIED</b>			
12929-M .....	Request by Western International Gas & Cylinders, Inc. (Western) Bellville, TX March 25, 2015. To modify the special permit to change the refill requirements.		
16286-N .....	Request by Curtis Bay Energy, LP Curtis Bay, MD March 25, 2015. To authorize the transportation in commerce of ebola contaminated waste in alternative packaging.		

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**DEPARTMENT OF TRANSPORTATION**

**Pipeline and Hazardous Materials Safety Administration**

**Hazardous Materials: Notice of Application for Special Permits**

**AGENCY:** Office of Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, (PHMSA), DOT.

**ACTION:** List of applications for special permits.

**SUMMARY:** In accordance with the procedures governing the application for, and the processing of, special

permits from the Department of Transportation's Hazardous Material Regulations (49 CFR part 107, subpart B), notice is hereby given that the Office of Hazardous Materials Safety has received the application described herein. Each mode of transportation for which a particular special permit is requested is indicated by a number in the "Nature of Application" portion of the table below as follows: 1—Motor vehicle, 2—Rail freight, 3—Cargo vessel, 4—Cargo aircraft only, 5—Passenger-carrying aircraft.

**DATES:** Comments must be received on or before May 26, 2015.

*Address Comments to:* Record Center, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, Washington, DC 20590.

Comments should refer to the application number and be submitted in triplicate. If confirmation of receipt of comments is desired, include a self-addressed stamped postcard showing the special permit number.

**FOR FURTHER INFORMATION CONTACT:** Copies of the applications are available for inspection in the Records Center, East Building, PHH-30, 1200 New Jersey Avenue Southeast, Washington, DC or at <http://regulations.gov>.

This notice of receipt of applications for special permit is published in accordance with Part 107 of the Federal hazardous materials transportation law (49 U.S.C. 5117(b); 49 CFR 1.53(b)).

Issued in Washington, DC, on April 8, 2015.

**Donald Burger,**  
*Chief, General Approvals and Permits.*

Application No.	Docket No.	Applicant	Regulation(s) affected	Nature of special permits thereof
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**NEW SPECIAL PERMITS**

16416-N .....	.....	INO <sub>x</sub> India Limited, Gujarat, India.	49 CFR 173.316 .....	To authorize the manufacture, mark sale and use of a DOT specification 4L cylinder to be used for the transportation in commerce of methane, refrigerated liquid, Division 2.1. (mode 1)
16417-N .....	.....	CB&I AREVA MOX Services, LLC, Aiken, SC.	49 CFR 173.420(a)(2)(i) ....	To authorize the transportation of uranium hexafluoride in cylinders that do not meet the specifications in ANSI N14.1. (mode 1)
16424-N .....	.....	Cimarron Composites, LLC, Huntsville, AL.	49 CFR 173.302a .....	To authorize the manufacture, mark, sale and use of a non-DOT specification fully wrapped fiber reinforced composite gas cylinders with a non-load sharing plastic liner that meets the ISO 11119-3 standard except for the design water capacity and working pressure. (modes 1, 2, 3)
16425-N .....	.....	Cabot Corporation, Tuscola, IL.	49 CFR 177.834(i)(3) .....	To authorize personnel to observe loading and unloading of cargo tank motor vehicles through two windows in a control center instead of being physically located within 25 feet of the cargo tanks. (mode 1)
16429-N .....	.....	Construction Helicopters, Inc., Howell, MI.	49 CFR 172.101 Hazardous Materials Table Column (9B), Subparts C, D, and E of Part 172, 175.30.	To authorize the transportation in commerce of certain hazardous materials by 14 CFR part 133 Rotorcraft External Load Operations transporting hazardous materials attached to or suspended from an aircraft. Such transportation is in support of construction operations when the use of cranes or other lifting devices is impracticable or unavailable, without being subject to hazard communication requirements and quantity limitations. (mode 4)